

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. James B. Clark, III
v.	:	Mag. No. 23-12229
OSCAR MARCELO NUNEZ- FLORES	:	<b>ORDER FOR CONTINUANCE</b>

1. This matter came before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (Mark J. Pesce, Assistant U.S. Attorney, appearing), and defendant Oscar Marcelo Nunez-Flores (David Glazer, Esq., appearing), for an order granting a continuance under 18 U.S.C. § 3161(h)(7)(A) through February 29, 2024.

2. This Court granted one § 3161(h)(7)(A) continuance previously in this case.

3. Counsel for the parties represented that this additional continuance is necessary for effective preparation and to permit the parties to attempt to resolve this case prior to indictment and thereby avoid a trial.

4. Counsel for the United States also represented that this additional continuance is necessary to prevent any more non-excludable days under § 3161(h) from expiring.

5. The defendant knows that he has the right under § 3161(b) to have this matter submitted to a grand jury within thirty days after his arrest.

6. The defendant, through counsel, has consented to this continuance.

7. FOR GOOD CAUSE, THIS COURT FINDS that this case should be continued for the following reasons:

a. Despite the exercise of diligence, therefore, the circumstances of this case require giving defense counsel a reasonable amount of additional time for effective preparation.

b. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render grand jury proceedings and a trial in this matter unnecessary.

c. Thus, the ends of justice served by granting the continuance and preventing any further non-excludable days from passing under § 3161(h) outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore:

ORDERED that this action is continued from the date the Order is signed through February 29, 2024; and it is further


ORDERED that those days are excluded in computing time under the Speedy Trial Act of 1974; and it is further

ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.

s/James B. Clark, III  
HON. JAMES B. CLARK, III  
United States Magistrate Judge

Dated: 12/27/2023

Form and entry consented to:

  
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Mark J. Pesce  
Assistant U.S. Attorney

/s/ David B. Glazer, Esq. (MJP)  
David B. Glazer, Esq.  
Counsel for Oscar Marcelo Nunez-Flores